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Reply to: Columbia

September 5, 2017

VIA CERTIFIED U.S. MAIL

The Honorable Henry E. Brown, Jr.
Pine Hope, LLC
1035 Dominion Drive
Hanahan, South Carolina 29410

Re: United States of America v. Pine Hope, LLC (unfiled action)

Dear Mr. Brown:

I write regarding potential violations of the Clean Water Act on your property in Berkeley County, specifically TMS parcel #1640002044 ("Pine Hope"). After several unsuccessful attempts to resolve these violations, United States Army Corps of Engineers ("Corps") has referred the matter to my attention for potential litigation. If we cannot resolve this dispute cooperatively, I am prepared to file an appropriate action in federal court, seeking damages and penalties for violations of the Clean Water Act.

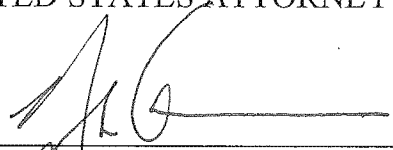
On September 9, 2014, the Corps first informed you of its concern regarding unpermitted construction, dredging, and fill activity in jurisdictional wetlands on Pine Hope. Following a site visit, the Corps met with you to discuss these issues further on November 5, 2014. Since then, you have demonstrated no efforts to restore the property or to present the Corps with a plan for doing so. On March 27, 2017, the Corps contacted you about this matter again, with a follow-up from Corps counsel on April 21, 2017. Though both times the Corps invited you to retain an environmental consultant who could assist you in working cooperatively towards a negotiated resolution of this matter, you declined the Corps' invitations, suggesting instead that it should refer the matter to the United States Department of Justice for potential litigation. The Corps has now done so.

Though I am prepared to move forward with legal action, I welcome your cooperation to resolve this matter without involving the court. I strongly advise you to seek the services of an attorney in this matter. I also encourage you – as the Corps has – to retain an environmental consultant to assist you in proposing a restoration and mitigation plan for your property.

I urge you – or your attorney, should you retain one – to contact me as soon as possible to resolve this matter. If we are unable to do so, I will move forward with legal action. My direct number is (803) 929-3056.

Yours very truly,

BETH DRAKE
UNITED STATES ATTORNEY

By: 

Brook B. Andrews
Assistant U.S. Attorney